

Kevin G. Little, SBN 149818
LAW OFFICE OF KEVIN G. LITTLE
Post Office Box 8656
Fresno, California 93747
Telephone: (559) 342-5800
Facsimile: (559) 242-2400
Email: kevin@kevinglittle.com

Attorney for Plaintiff Eric Von Major

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION

ERIC VON MAJOR,

Plaintiff,

v.

THOMAS SIRE, and DOES 1 THROUGH 20,

Defendants.

Case No.: 1:23-cv-01683-KES-BAM

**STIPULATION AND ~~PROPOSED~~ ORDER
TO EXTEND TIME TO RESPOND TO
COMPLAINT**

TO THE HONORABLE COURT:

Plaintiff Eric Major and Defendant Thomas Sire present this stipulation to the Court to provide the Defendant fourteen (14) additional days to respond to the Complaint for Damages, to and until September 26, 2024.

Defendant is currently without counsel and has pending a tender under Cal. Government Code § 825 for the provision of a defense by his former employer, the County of Fresno. The Defendant's tender is being considered by the Fresno County Board of Supervisors at its upcoming meeting on September 10, 2024.

Defendant was served via alternative service effective August 22, 2024 (10 days after the completion of alternative service as per the Court's August 9, 2024 Order, DN 22). Defendant's answer is therefore currently due on September 12, 2024, which may not provide sufficient time for him to obtain counsel after the Board of Supervisors' decision. Defendant has not made any prior request for an extension of time.

For these reasons, Plaintiff and Defendant hereby stipulate and request an order, pursuant to Eastern District Local Rule 144(a), that Defendant shall have an additional 14 days (until September 26, 2024) to answer or otherwise respond to Plaintiff's Complaint for Damages.

IT IS SO STIPULATED.

DATED: August 29, 2024

LAW OFFICE OF KEVIN G. LITTLE

By: /s/ Kevin G. Little
Kevin G. Little
Attorneys for Plaintiffs

DATED: August 29, 2024

DEFENDANT THOMAS SIRE, IN PRO PER

By: /s/ Thomas Sire
Thomas Sire
Defendant *In Propria Persona*

ORDER

Pursuant to the parties' stipulation, and good cause appearing, Defendant shall have an additional fourteen (14) days to answer or otherwise respond to Plaintiff's Complaint for Damages. Defendant shall answer or otherwise respond to Plaintiff's Complaint for Damages on or before September 26, 2024.

IT IS SO ORDERED.

Dated: September 3, 2024

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE